

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**DTC HEALTH, INC.,**

**Plaintiff,**

**v.**

**GLOBAL HEALING CENTER, INC., et  
al.,**

**Defendants.**

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**CIVIL ACTION NO. H-06-1364**

**MEMORANDUM AND ORDER**

This Court's Order of July 17, 2006, held that the arbitral tribunal convened by the American Arbitration Association ("AAA") does not have jurisdiction over Plaintiff DTC Health, Inc. ("DTC"). First, DTC was not a signatory to the arbitration agreement between Defendant Global Healing Center, Inc. and Virante, Inc. ("Virante")/Ryan Allis ("Allis"), and second, there was no evidence of a connection between DTC and Virante/Allis sufficient to support jurisdiction under an agency, alter ego, or equitable estoppel theory.

Global Healing Center has since voluntarily dismissed without prejudice its claims against DTC pending before the AAA, but has not given up the hope that it will discover evidence connecting DTC and Virante/Allis. Should DTC in fact obtain such evidence, it is **ENJOINED** from proceeding to an arbitral tribunal without first bringing the evidence before this Court for a determination of arbitrability.

Furthermore, because there are no additional live claims in this case, it is hereby **DISMISSED WITH PREJUDICE.**

**IT IS SO ORDERED.**

**SIGNED** this 29th day of November, 2006.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison". The signature is fluid and cursive, with the first name "Keith" and last name "Ellison" being more prominent than the middle initial "P.". The signature is positioned above a horizontal line.

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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL  
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY  
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT